

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SIGNATURE BANK,

: Plaintiff,

ORDER

: -against-

08 Civ. 3893 (NRB) (MHD)

AHAVA FOOD CORP. d/b/a NORTH  
COUNTRY CHEESE CORP., et al.,

: Defendants.

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MICHAEL H. DOLINGER  
UNITED STATES MAGISTRATE JUDGE:

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RECEIVED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
JUN 6 2008  
CLERK'S OFFICE: 6/6/08  
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The Court having conducted a telephone conference with counsel for plaintiff and the Ahava-of-California defendants concerning deposition issues, we ruled as follows:

1. The parties are to make best efforts to obtain signed deposition transcripts from defendant Fariborz Banayan and the Bank's impairment witness, Mr. Ed Gibbon, and supply them to opposing counsel by June 12 and 11, respectively.

2. The court authorizes the Bank to subpoena and depose the accountant for Ahava of California -- Mr. Robert Friedbauer -- for a telephone deposition to last no longer than two hours. We note, however, that such a deposition is subject to the availability of the witness at a time before the scheduled hearing in this case.

Dated: New York, New York  
June 5, 2008

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MICHAEL H. DOLINGER  
UNITED STATES MAGISTRATE JUDGE

Copies of the foregoing Order have been mailed today to:

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